

153501-0091



PATENT

Sshoppe
1-17-02IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the U.S. Patent Application of:)

Inventor(s) : Edward Edelman)

Serial No. : 09/689,577)

Filed : October 12, 2000)

For : COMMAND AND CONTROL SYSTEM AND)
METHOD FOR MULTIPLE TURBOGENERATORS)

Examiner : E. Enad)

Art Unit : 2834)

01/10/2002 SSESHE1 00000070 09689577)

02 FC:248)

55.00 OP)

10 / Terminal
DisclaimerTERMINAL DISCLAIMER UNDER 37 CFR 1.321Commissioner for Patents
Washington, D.C. 20231

Sir:

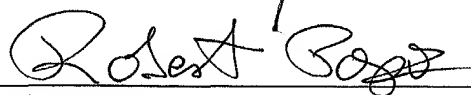
Capstone Turbine Corporation, owner of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, for U.S. Patent No. 6,169,334 (the "prior patent"). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

153501-0091

jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. The undersigned is empowered to represent the Applicant and Assignee in this matter.

Respectfully submitted,



Robert Popa
Registration No. 41,030

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Telephone: 310-277-1010
Facsimile: 310-203-7199
Email: rpopa@irell.com

**TERMINAL DISCLAIMER
APPROVED**

JAN 17 2002

**TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER**



**Sharon Hoppe
Supervisory Legal Instrumental Examiner
Technology Center 2800**

Paralegal Specialist